

DISCUSSION

Upon entry of the present amendment, Claims 1-12 remain in the application, of which, Claims 1, 2, 6, 8, and 9 are independent.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

In the above-identified Office Action, the Examiner rejected claims 1-5 under 35 USC 102(e) as anticipated by Sukegawa et al.

Applicant has amended claim 1 to require that the profile of the garnish include an upper edge portion for placement above the vehicle body portion, a hook-shaped lower edge portion for substantially surrounding a lower edge of the vehicle body portion, and a bridge section disposed between the crown and hook portions. No new matter is being added by this amendment, since the limitations are clearly supported by the structure shown in Figure 6A of the drawings, which form part of the original disclosure.

This claimed profile structure of the garnish is not taught, suggested nor rendered obvious by the teaching of Sukegawa.

Applicant has also amended claim 2 to be in independent form including all of the limitations of original claim 1, and has added a new limitation to claim 2, requiring that the garnish is provided for attaching to a door sash frame which forms an upper part of the vehicle door.

Sukegawa fails to teach a garnish for attaching to a door sash frame which forms an upper part of the vehicle door, in which the garnish has the claimed features and elements.

Instead, the garnish of Sukegawa is provided for attaching to a front pillar of a vehicle body, next to the windshield and the vehicle roof panel (Sukegawa, column 2, lines 30-36. Sukegawa is primarily concerned with a garnish which is constructed and arranged to accommodate different coefficients of expansion between the metal material of the vehicle frame and the (plastic) resin material of the garnish.

Applicant respectfully suggests that as presently amended, all of the pending claims are believed to be allowable.

It is applicant's contention that no possible reading of the references, either singly or in combination, can be viewed as teaching applicant's claimed invention. No new matter has been added by the present amendment.

For all of the above mentioned reasons, applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

The Commissioner is hereby authorized to charge \$80.00 for one independent claim in excess of three, to charge any deficiency which may be required during the entire pendency of the application, and to credit any excess paid during the entire pendency of the application, to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



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June 23, 2004

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted, via facsimile, to Examining Group 3612 of the United States Patent and Trademark Office on June 23, 2004, at the number (703) 872-9306.



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